

Appendix E

Notice of Land Use Restrictions and Institutional Controls

APPENDIX E

This instrument prepared by and
mail to after recording to:

Property Index Number:

LOCATION
OF PROPERTY:

Area bounded by Eleventh Street on the
east,
Twenty Third Avenue on the north,
Harrison Avenue on
The south, and Sixth Street on the west
in Rockford,
Winnebago County, Illinois

FOR RECORDER'S USE ONLY

NOTICE OF LAND USE RESTRICTIONS AND INSTITUTIONAL CONTROLS

Hamilton Sundstrand Corporation, an Illinois corporation ("Hamilton Sundstrand"), the current owner of a parcel of real estate located in Rockford, Winnebago County, Illinois and more particularly described on Exhibit A, attached hereto and made a part hereof (the "Property"), hereby makes the following Notice of Land Use Restrictions and Institutional Controls on this ____ day of _____, 2008.

A. The Property consists of an approximately 7.5-acre portion of the Southeast Rockford Groundwater Contamination Superfund Site ("the Site")--- Source Area 9/10 --- which the U.S. Environmental Protection Agency ("U.S. EPA"), pursuant to Section 105 of the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. § 9605, placed on the National Priorities List, set forth at 40 C.F.R. Part 300, Appendix B, by publication in the Federal Register on March 31, 1989, 54 Fed. Reg. 13,296.

B. The U.S. EPA Region 5 Regional Administrator selected a remedial action for the Site embodied in the Record of Decision dated June 11, 2002 (the "ROD") that requires the imposition of certain land use restrictions and institutional controls on the Property as set forth in the Consent Decree and the Declaration of Environmental Easement and Restrictive Covenants dated _____, 2008 and recorded _____, 2008 at the Office of the Recorder of Deeds for Winnebago County, Illinois as Doc. No. _____.

C. Hamilton Sundstrand has entered into a Consent Decree to implement the remedial action set forth in the ROD. The Consent Decree was entered on _____, 2008 ("Consent Decree"), resolving the case of *United States of America and the State of Illinois v. Hamilton Sundstrand Corporation*, Civil Action No. ____ (N.D. Ill.).

IN WITNESS WHEREOF, this Notice has been duly executed by Hamilton Sundstrand effective as of the date first indicated in this Notice.

HAMILTON SUNDSTRAND:

Hamilton Sundstrand Corporation, an Illinois corporation

By: _____
Title

STATE OF ILLINOIS)
) SS
COUNTY OF _____)

I, _____, notary public in and for said county and state
aforesaid, do hereby certify that
_____ personally known to me to be the same
person whose name is subscribed to the foregoing instrument as such _____,
appeared before me this day in person and acknowledged that he signed and
delivered the said instrument as his own free and voluntary act, and as the free and
voluntary act of said Illinois corporation, for the uses and purpose therein set forth.

GIVEN under my hand and Notarial Seal this _____, 2008.

SEAL

Notary Public

My commission expires:

EXHIBIT A
LEGAL DESCRIPTION